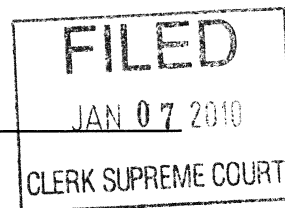


IN THE SUPREME COURT OF IOWA



IN THE MATTER OF IOWA RULES  
OF CIVIL PROCEDURE 1.431  
AND 1.909

REPORT OF THE  
SUPREME COURT

TO: THE HONORABLE KEITH A. KREIMAN, CHAIR OF THE SENATE  
JUDICIARY COMMITTEE OF THE 2009 REGULAR SESSION OF THE  
EIGHTY-THIRD GENERAL ASSEMBLY OF THE STATE OF IOWA.

Pursuant to Iowa Code sections 602.4201 and 602.4202 (2009), the  
Supreme Court of Iowa has approved and reports on this date to the Chair of  
the Senate Judiciary Committee the adoption of Iowa Rules of Civil Procedure  
1.431 and 1.909. These amendments shall take effect March 8, 2010.

Dated this 7th day of January, 2010.

Respectfully submitted,

THE SUPREME COURT OF IOWA

By Marsha K. Ternus  
Marsha Ternus, Chief Justice

ACKNOWLEDGMENT

I, the undersigned, Chair of the Senate Judiciary Committee hereby  
acknowledge delivery to me on the \_\_\_ day of \_\_\_\_\_, the Report of the  
Supreme Court pertaining to Iowa Rules of Civil Procedure 1.431 and 1.909.

\_\_\_\_\_  
Chair of the Senate Judiciary Committee

**Please retain the copy and sign and return the original to: The Iowa  
Supreme Court Clerk's Office, Iowa Judicial Branch Building, 1111 East  
Court Avenue, Des Moines, IA 50319.**

## **CHAPTER 1**

### **RULES OF CIVIL PROCEDURE**

**Rule 1.431 Motion practice; generally.**

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**1.431(9)** The court upon its own motion or by the agreement of the parties ~~shall~~ may arrange for the submission of motions under these rules by telephone conference call unless oral testimony may be offered.

## **CHAPTER 1**

### **RULES OF CIVIL PROCEDURE**

**Rule 1.909 Fee for late settlement of jury trial.** In the event notice of settlement is given later than two full working days before a civil action is scheduled to be tried to a jury or is reached for jury trial, whichever is later, or the case is settled during trial, a fee of ~~\$500~~ \$1000 shall be assessed as court costs. A late settlement fee shall not be waived by the court nor shall a continuance be granted for purposes of avoiding imposition of this fee. Fees so collected shall be remitted by the clerk to the treasurer of the state to be deposited in the general fund of the state.